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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Shimon Shmueli

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09/20/2006

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EXAMINER

KLIMACH, PAULA W

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/803,290	Applicant(s) SHMUELI ET AL.	
	Examiner Paula W. Klimach	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-18 and 27-32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3, 5-18, and 27-32 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 07/05/06. The amendment filed on 07/05/06 have been entered and made of record.

Response to Arguments

Applicant's arguments filed 07/05/06 have been fully considered.

The applicant argues that a cookie is not configuration file. However according to one of the definition of cookie is on the World Wide Web, a block of data that a Web server stores on a client system. When a user returns to the same Web site, the browser sends a copy of the cookie back to the server. Cookies are used to identify users, to instruct the server to send a customized version of the requested Web page, to submit account information for the user, and for other administrative purposes. By sending a customized version of the request Web page, the cookie is used as a configuration file. The definition of configuration is to establish the user's preferences and therefore for customizing. Therefore since the cookie is and the configuration files have the same structure, during the cleanup of Shih, while the configuration file is deleted so can the cookie.

The applicant argued that the cookies are simply a block of text unable to perform any operations by themselves. However, the examiner would like to point out the configuration files are also files that contain operating specification, and therefore information to customization, and are unable to perform any operations by themselves.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the system will reduce the resources needed by cleaning up after removal of the flash card, not requiring a browser, and resources may be accessed without going through a device driver (column 2 lines 9-55 Shih).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-6, 11, 14-18, and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Shih et al (6,405,362 B1) and further in view of the article by Lin et al ("Taking the Byte Out of Cookies").

In reference to claims 1 and 27, Shih discloses a system for automatically installing a software application and automatically removing and releasing resources used by the application (abstract and column 7 lines 30-40). Shih discloses software delivered on a flash card, therefore a body having memory within the body containing software for executing on a host-computing

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device (column 6 lines 5-20). The flash card, disclosed by Shih, includes an interface associated with the memory and adapted to facilitate interaction with the host-computing device (column 6 lines 25-55), and the software adapted to automatically execute on the host computing device in association with a computing session and the software running on the host computing device without requiring the host computer to boot (column 6 line 56 to column 7 line 40), and, in association with termination of the computing session, instruct the host computing device to remove records pertaining to the computing session from the host computing device to enhance privacy associated with the computing session (column 8 line 35 to column 9 line 53). Shih discloses software is adapted to instruct the host computing device to delete the configuration files (column 9 lines 35-53).

Shih discloses deleting the configuration files during the cleanup. However Shih does not disclose that configuration file corresponds to the cookies as recited in the claim.

Lin discloses the cookies that are a block of text that is used to create a customized service (page 47 section 8.1). Therefore the cookie is a block of text (file) used to configure the website thus providing a user with a customized website. Therefore the configuration file deleted by Shih corresponds to the deleted cookie recited in the claim. The configuration file is deleted to free up resources, and therefore deleting cookies from system memory.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the configuration file as a cookie as in the teachings of Lin in the system of Shih. One of ordinary skill in the art would have been motivated to do this because the cookie is used to provide the user with a customized service.

In reference to claims 14, Shih discloses a system for automatically installing a software application and automatically removing and releasing resources used by the application (abstract and column 7 lines 30-40). Shih discloses software delivered on a flash card, therefore a body having memory within the body containing software for executing on a host-computing device (column 6 lines 5-20). The flash card, disclosed by Shih, includes an interface associated with the memory and adapted to facilitate interaction with the host-computing device (column 6 lines 25-55), and the software adapted to automatically execute on the host computing device in association with a computing session and the software running on the host computing device without requiring the host computer to boot (column 6 line 56 to column 7 line 40), and, in association with termination of the computing session, instruct the host computing device to remove records pertaining to the computing session from the host computing device to enhance privacy associated with the computing session (column 8 line 35 to column 9 line 53). The system of Shih further stores information associated with the computing session in the memory instead of on the host computing device, wherein the host computing device would normally store the select information on the host computing device when the portable device is not present (column 7 lines 52-61). Shih further discloses deleting configuration files during the clean up (column 9 lines 35-53).

Shih discloses deleting the configuration files during the cleanup. However Shih does not disclose that configuration file corresponds to the cookies as recited in the claim.

Lin discloses the cookies that are a block of text that is used to create a customized service (page 47 section 8.1). Therefore the cookie is used to configure the borrower and is a

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block of text (file) the data is then a configuration file. Therefore the configuration file deleted by Shih corresponds to the deleted cookie recited in the claim.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the configuration file as a cookie as in the teachings of Lin in the system of Shih. One of ordinary skill in the art would have been motivated to do this because the cookie is used to provide the user with a customized service.

In reference to claims 2, 17, and 28, wherein the software is further adapted to instruct the host-computing device to detect instructions from the user indicating the termination of the computing session. Shih discloses the software adapted to instruct the host-computing device to detect instructions from the user indicating the termination of the computing session (column 6 lines 31-55).

In reference to claims 3, 18, and 29, wherein the software is further adapted to instruct the host-computing device to detect disassociation of the portable device from the host-computing device to indicate termination of the computing session. Shih discloses the software is adapted to instruct the host-computing device to detect disassociation of the portable device from the host-computing device to indicate termination of the computing session (column 6 lines 31-55).

In reference to claim 5, wherein the software is further adapted to instruct the host computing device to automatically execute on the host computing device after the host computing device recognizes the presence of the portable device and instruct the host computing device to launch a program on the host computing device. Shih disclose the software is adapted to instruct the host computing device to automatically execute on the host computing device after

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the host computing device recognizes the presence of the portable device and instruct the host computing device to launch a program on the host computing device (column 6 line 56 to column 7 line 22).

In reference to claim 6, wherein the software is further adapted to instruct the host-computing device to customize the user interface for the program for the computing session based on the data (column 9 lines 35-53).

In reference to claim 11 wherein the interface is adapted to directly interface a port in the host-computing device. Shih discloses the interface is adapted to directly interface a port in the host-computing device (column 4 line 61 to column 5 line 7).

In reference to claim 15, wherein the software is further adapted to instruct the host-computing device to remove records pertaining to the computing session from the host-computing device to enhance privacy associated with the computing session. Shih discloses the software is adapted to instruct the host-computing device to remove records pertaining to the computing session from the host-computing device to enhance privacy associated with the computing session (column 8 line 35 to column 9 line 53).

In reference to claim 16, wherein the software is further adapted to instruct the host-computing device to remove the records pertaining to the computing session from the host-computing device, in association with termination of the computing session. Shih discloses the software is adapted to instruct the host-computing device to remove records pertaining to the computing session from the host-computing device to enhance privacy associated with the computing session (column 8 line 35 to column 9 line 53).

Claims 7-10, 13, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shih in view of Lin as applied to claim 1 and 27 above, and further in view of Levine (6,128, 730).

In reference to claims 7 and 30, wherein the software is further adapted to provide an authentication routine to execute on the host-computing device, the authentication routine including receiving authentication indicia from a user via an interface on the host computing device and determining if the authentication indicia received from the user matches authentication indicia stored in the memory (column 11 line 53 to column 12 line 5).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the method of authentication as in Levine in the portable device of Shih. One of ordinary skill in the art would have been motivated to do this because authentication decreases fraud.

In reference to claim 8, wherein the software is further adapted to provide an authentication routine to execute on the host-computing device, the authentication routine including receiving authentication indicia from the user via an interface on the host and determining if the authentication indicia received from the user matches authentication indicia stored in the memory (column 11 line 53 to column 12 line 5).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the method of authentication as in Levine in the portable device of Shih. One of ordinary skill in the art would have been motivated to do this because authentication decreases fraud.

In reference to claim 9, wherein the software is adapted to emulate a file system resident on a memory device on the host computing device when interacting with the host computing device (column 18 lines 38-41).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to emulate a file system resident on a memory device on the host computing device as in Levine in the system of Shih. One of ordinary skill in the art would have been motivated to do this because enable the use of the memory device to transfer files from one system to another

In reference to claim 10 wherein the software and data are adapted to appear as a file system to the host-computing device (column 7 lines 27-41).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to adapt the system to appear as a file system to the host computing device. One of ordinary skill in the art would have been motivated to do this because make the new system easy to use.

In reference to claims 13 and 31 wherein the software includes a plurality of keylets (levels) that are independently executable on the host-computing device to provide at least one function (column 13 lines 15-30).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a plurality of keylets that are independently executable on the host-computing device to provide at least one function as in Levine in the system of Shih. One of ordinary skill in the art would have been motivated to do this because the system provides for a simple method of transfer of keys

In reference to claim 32, Levine teaches the method further comprising: executing the software on a host computing device; launching a program resident on the host computing device based on the software; accessing configuration information for the software stored on the portable memory device; and customizing the configuration for the program on the host computing device based on the configuration information (column 6 line 65 to column 7 line 17).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to store access configuration information on the portable memory as in Levine in the system of Shih. One of ordinary skill in the art would have been motivated to do this because it would reduce the access control information such as password that a user must remember mentally.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shih and further in view of Lin as applied to claim 1 and further in view of Scan Tech News article.

A system comprising the interface is adapted to provide a wireless interface with the host-computing device.

Although Levine discloses a removable media, Paul does not disclose the interface with the host-computing device comprising a wireless interface.

The article in the Scan Tech News discloses wireless local area networkks on a PC host through a PCMCIA slot (page S-24 column 1).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a wireless PCMCIA card as disclosed in the article by Scan Tech News in the combination of Shih. One of ordinary skill in the art would have been motivated to do this

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because wireless local area network provides a cost-efficient, peer to peer client/server communications capability.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kikinis

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK

Saturday, September 16, 2006


HOSUK SONG
PRIMARY EXAMINER